

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:09CR3120
	)	
v.	)	
	)	MEMORANDUM AND ORDER
MICHAEL TERRY,	)	
	)	
Defendant.	)	

The defendant has moved to continue his plea hearing, currently set for January 25, 2010, because the defendant is currently attending school, and due to a change of circumstances, additional time is needed to determine the scope of the plea agreement. (Filing No. [25](#)). The government does not oppose defendant's motion.

IT IS ORDERED:

- 1) The defendant's motion to continue, (filing no. [25](#)), is granted, and defendant's plea hearing will be held before the undersigned magistrate judge on the 25th day of February, 2010, at 2:30 p.m., in Courtroom No. 2, United States Courthouse and Federal Building, 100 Centennial Mall, North, Lincoln, Nebraska. The defendant is ordered to appear at this hearing.
- 2) The Court finds the ends of justice served by continuing defendant's plea hearing outweigh the best interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and February 25, 2010 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

DATED this 21<sup>st</sup> day of January, 2010.

BY THE COURT:

*s/ Cheryl R. Zwart*  
Cheryl R. Zwart  
United States Magistrate Judge